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PFIZER INC.
PATENT DEPARTMENT, MS8260-1611
EASTERN POINT ROAD
GROTON CT 06340

In re Application of:
Mueller et al.
Serial No.: 10/060,521
Filed: January 30, 2002
Attorney Docket No.: PC11013A

DECISION ON PETITION TO
WITHDRAW THE HOLDING
OF ABANDONMENT

This is in response to applicants' petition under 37 CFR. § 1.181(a) and MPEP 711.03(c) filed on April 26, 2004, requesting withdrawal of the holding of abandonment of the above-identified application based on non-receipt of an Office action and to restore the application to a pending status.

A review of the file history shows that the Office mailed a restriction requirement to applicants on April 10, 2003, setting a one-month statutory time period for reply. On May 27, 2003 applicants responded to the restriction requirement. The Office subsequently mailed a first Office action, setting a three-month statutory time period for reply, to applicants on August 22, 2003. On March 15, 2004, the examiner mailed a notice of abandonment for failure to respond to the outstanding first Office action.

Applicants state that the Office action of August 22, 2003 was never received and provides as evidence thereof a copy of the attorney docket report where the Office action would have been entered if received, showing non-receipt of the Office action. Based on the evidence presented, it is concluded that applicants never received the Office action. In view thereof, the Notice of Abandonment mailed March 15, 2004 is vacated and the application is restored to pending status with the mailing date of this decision.

Applicants' petition is **GRANTED**. The application will be forwarded to the examiner for prompt mailing of a new Office action and a three-month restart of the statutory time period for reply.

Should there be any questions about this decision, please contact Marianne C. Seidel by letter addressed to Director, TC 1600, at the address listed above, or by telephone at 571-272-0584 or by facsimile at 703-872-9306.

Jasemine C. Chambers
Director, Technology Center 1600